

Mr. SCOTT of Virginia: □ Mr. Speaker, I rise in support of H.R. 6116, as amended. I support this legislation for several reasons.

To begin with, this bill simply implements the recommendation of the third circuit judicial council to allow decisions of the Virgin Islands Supreme Court to be reviewed directly by the United States Supreme Court. The Virgin Islands Supreme Court is the equivalent of a U.S. State supreme court. It is authorized to review all final orders, judgments, and specified interlocutory orders of the Virgin Islands superior courts. Appeals from the Virgin Islands Supreme Court are made by petitions of certiorari to the U.S. Court of Appeals for the Third Circuit at this time.

The Revised Organic Act specifically grants the third circuit appellate jurisdiction for the first 15 years of the Virgin Islands Supreme Court's existence. In addition, the act requires the third circuit judicial council to submit reports to two congressional committees every 5 years assessing whether the Virgin Islands Supreme Court "has developed sufficient institutional traditions to justify direct review by the Supreme Court of the United States from all of its final decisions."

In April of this year, the third circuit judicial council submitted the first of these 5-year reports. In it, the council concluded that the Virgin Islands Supreme Court had met the standard necessary to justify direct review of its decisions by the United States Supreme Court. Accordingly, the council recommended that Congress enact legislation to allow for such direct review.

H.R. 6116 effectuates the third circuit's recommendations by deleting from the Revised Organic Act both the provisions granting appellate jurisdiction to the third circuit and the reporting requirement.

I also support changes reflected in the version of the bill we are considering today because they reflect input both from the U.S. Supreme Court and an academic expert. Specifically, the amended version of the bill requires both the bill's long title and header to section 1 so that they refer to direct review rather than direct appeals. This change more accurately reflects the discretionary nature of the U.S. Supreme Court's appellate jurisdiction over most cases whereby it selects cases for consideration through granting petitions for writs of certiorari.

Additionally, the amended version of H.R. 6116 adds a provision to chapter 81 of title 28 of the United States Code to further clarify the scope of the U.S. Supreme Court's discretionary appellate jurisdiction with respect to decisions of the Virgin Islands Supreme Court.

Finally, H.R. 6116 is consistent with precedence. For example, in 2004, Congress enacted similar legislation to provide for direct review by the U.S. Supreme Court of decisions of the Guam Supreme Court.

I congratulate the gentle lady from the Virgin Islands, Dr. Christensen, for her leadership in

this measure. I also thank the Judiciary Committee chairman, the gentleman from Texas (Mr. Smith), for his assistance in bringing this legislation to the floor.

I urge my colleagues to support the bill.